

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SLAVKO PROPERTIES, INC. *trading as*
2536-38 N. BROAD STREET
ASSOCIATES, L.P.; SLAVKO BRKICH;
and VICTORIA BRKICH,

Plaintiffs,

v.

T.D. BANK, N.A.; COBA PROPERTIES,
INC.; ECP EAST LLC; and ECP RIDGE
LLC,

Defendants.

CIVIL ACTION
NO. 14-05045

ORDER

AND NOW, this 24th day of April, 2015, upon consideration of TD Bank, N.A. and Coba, Inc.'s Motion to Dismiss, (Doc. No. 11), ECP East LLC and ECP Ridge LLC's Motion to Dismiss, (Doc. No. 25), Plaintiffs' responses thereto, (Doc. Nos. 19, 26), and TD Bank, N.A. and Coba, Inc.'s Reply, (Doc. No. 24), **IT IS ORDERED** that:

1. The Motions to Dismiss (Doc Nos. 11, 25) are **GRANTED**;
2. Subparagraphs (b), (e), and (f) of Count I, Count II, and Counts III, IV, V, VI, VII, VIII, and IX are **DISMISSED with prejudice**;
3. Subparagraphs (a), (c), and (d) of Count I and Counts X and XI are **DISMISSED without prejudice**;
4. Plaintiffs are granted leave to file an amended complaint on or before May 8, 2015.

BY THE COURT:


GERALD J. PAPPERT, J.